



EAST INDIA (EVENTS PRELIMINARY TO THE
ROUND-TABLE CONFERENCE)

**STATEMENT ISSUED ON 5th SEPTEMBER
BY SIR TEJ BAHADUR SAPRU AND
MR. M. R. JAYAKAR, OF THE COURSE
OF THEIR CONVERSATIONS WITH
THE CONGRESS LEADERS, JULY—
SEPTEMBER 1930.**

*Presented by the Secretary of State for India to Parliament
by Command of His Majesty.
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Statement issued on 5th September by Sir Tej Bahadur Sapru and Mr. M. R. Jayakar of the course of their conversations with the Congress Leaders, July—September 1930.

1. The facts connected with the efforts which we have been making for over two months for the restoration of peaceful conditions in the country are as follows :—

(1) On 20th June 1930 Pandit Motilal Nehru gave an interview to Mr. Slocombe, Special Correspondent of *The Daily Herald* (London), with regard to his views about attending the Round-Table Conference. This interview has already appeared in India.

(2) Shortly thereafter Mr. Slocombe had a conversation with Pandit Motilal Nehru in Bombay, as a result of which certain terms were drafted by Mr. Slocombe and submitted to Pandit Motilal Nehru and approved by him at a meeting in Bombay, at which Pandit Motilal Nehru, Mr. M. R. Jayakar, and Mr. Slocombe alone were present. One copy of these terms was sent to Mr. M. R. Jayakar by Mr. Slocombe as agreed upon by Pandit Motilal Nehru as the basis of his (Mr. Jayakar's) or any third party's approach to the Viceroy.

(3) Mr. Slocombe likewise addressed a letter to Dr. Sapru at Simla, forwarding a copy of these terms. In the course of this letter Mr. Slocombe said that Pandit Motilal Nehru had agreed to our acting as intermediaries for the purpose of approaching the Viceroy on the basis of these terms. We give below the full text of this document.

2. The following is the statement submitted to Pandit Motilal Nehru in Bombay on 25th June 1930, and approved as the basis of an informal approach to the Viceroy by a third party :—

“If in certain circumstances the British Government and the Government of India, although unable to anticipate the recommendations that may in perfect freedom be made by the Round-Table Conference, or the attitude which the British Parliament may reserve for such recommendations, would nevertheless be willing to give a private assurance that they would support a demand for full responsible government for India, subject to such mutual adjustments and terms of transfer as are required by the special needs and conditions of India and by her long association with Great Britain, and as may be decided by the Round-Table Conference, Pandit Motilal Nehru would undertake to take personally such assurance—or the indication received from a responsible third party that such an assurance would be forthcoming—to Mr. Gandhi and to Pandit Jawaharlal Nehru. If such an assurance were offered and accepted, it would render possible a general measure of conciliation which should entail the simultaneous calling off of the civil disobedience movement, the cessation of the Government's present repressive policy, and a generous measure of amnesty for political prisoners, and would be followed by Congress participation in the Round-Table Conference on terms to be mutually agreed upon.”

3. On the basis of this document we interviewed the Viceroy at Simla more than once in early part of July last, and explained to him the situation in the country, and ultimately wrote him the following letter:—

Simla,
13th July 1930.

Dear Lord Irwin,

We would beg leave to draw Your Excellency's attention to the political situation in the country, which, in our opinion, makes it imperative that some steps should be taken without any loss of time to restore normal conditions. We are alive to the dangers of the Civil Disobedience movement, with which neither of us has sympathised or been associated, but we feel that in the contest between the people and Government which has involved the adoption of a policy of repression and the consequent embitterment of popular feeling, the true and abiding interests of the country are apt to be sacrificed.

We think that it is our duty to our country and to Government that we should make an endeavour to ameliorate the present situation by discussing the question with some of the leaders of the movement in the hope and belief that we may be able to persuade them to help in the restoration of normal conditions. If we have read Your Excellency's speech aright we think that while Your Excellency and your Government feel compelled to resist the Civil Disobedience movement, you are not less anxious to explore every possibility of finding an agreed solution of the constitutional problem. We need scarcely say that we believe that with the cessation of the movement there will be no occasion for the continuance on the part of the Government of the present policy and those emergency measures which have been passed by Government to implement that policy.

We, therefore, approach Your Excellency with the request that you may be pleased to permit us to interview Mr. Gandhi, Pandit Motilal Nehru and Pandit Jawaharlal Nehru so that we may put our point of view before them, and urge them in the interests of the country to respond to our appeal to enable the big issue of constitutional advance being solved in a calm atmosphere.

We desire to make it plain that in going to them we shall be going on our own behalf and we do not profess to represent either the Government or any party in taking this step. If we fail in our attempt the responsibility will be ours. Should Your Excellency be pleased to grant us the permission to see these gentlemen in jail we shall request you to issue the necessary orders to the Local Governments concerned to allow us the necessary facilities.

We further request that if the necessary permission is granted to us we may be allowed to talk to them privately in the presence of any officer of Government present at our interview. We further submit that in our opinion it is desirable that the non-co-

should see them at the earliest possible date. The reply to this letter may be sent to Mr. Jayakar at the Hotel Cecil.

Yours sincerely,

TEJ BAHADUR SAPRU.
M. R. JAYAKAR.

4. To the above letter the Viceroy made the following reply :—

Simla,

Dear Mr. Jayakar,

16th July 1930.

I have received your letter of the 13th July, in which you and Sir Tej Bahadur Sapru state your desire to do all in your power to bring about a return of peaceful conditions in the country and ask for permission to approach Mr. Gandhi, Pandit Motilal Nehru and Pandit Jawaharlal Nehru with this object. I had occasion in my address to the Legislature on 9th July to define the attitude of myself and my Government, both to the Civil Disobedience movement and to the constitutional issues. We consider that the Civil Disobedience movement is doing unmixed harm to the cause of India and many important communities, classes and parties hold the same view. With their help, therefore, Government must continue to oppose it by all means in their power, but you rightly recognise that we are not less anxious to see the achievement of a solution of the constitutional problem by agreement among all the interests concerned.

It is evidently not possible for me to anticipate the proposals that will be made by the Government of India after they have had time to consider the Statutory Commission's report or by the Round-Table Conference and still less the decisions of Parliament, but I made it plain in my speech that it remains my earnest desire, as it is that of my Government and I have no doubt also that of His Majesty's Government, to do everything that we can in our respective spheres to assist the people of India to obtain as large a degree of management of their own affairs as can be shown to be consistent with making provision for those matters in regard to which they are not at present in a position to assume responsibility. What those matters may be and what provision may best be made for them will engage the attention of the Conference, but I have never believed that with mutual confidence on both sides it should be impossible to reach agreement.

If, therefore, you believe that by the action proposed you may be able to assist in the restoration of normal conditions in the country it would not be right for me or my Government to sentence any obstacles to your efforts, nor do I think that movement, have stood side by side with my Government in policy, and aiding the Civil Disobedience movement and whose and would be so much value would wish me to do so. On Table Conference I will accordingly ask the Local Governments the necessary instructions which will enable

you to make your public-spirited attempt in the cause of peace in India.

Yours sincerely,
IRWIN.

5. With these two documents we interviewed Mahatma Gandhi at Yeravda Jail in Poona on the 23rd and 24th July 1930. During the interview we explained to Mahatma Gandhi the whole situation and gave him the substance of our conversation with the Viceroy. Mahatma Gandhi gave us the following note and letter to be handed over to Pandits Motilal Nehru and Jawaharlal Nehru at Naini Jail, Allahabad:—

CONSTITUTIONAL ISSUE.

(1) So far as this question is concerned my personal position is that if the Round-Table Conference is restricted to a discussion of safeguards that may be necessary in connection with full self-government during the period of transition, I should have no objection, it being understood that the question of independence should not be ruled out if anybody raises it. I should be satisfied before I could endorse the idea of the Congress attending the Conference about its whole composition.

CIVIL DISOBEDIENCE AND ITS CALLING OFF.

(2) If the Congress is satisfied as to the Round-Table Conference, naturally Civil Disobedience would be called off, that is to say, disobedience of certain laws for the sake of disobedience, but peaceful picketing of foreign cloth and liquor will be continued unless the Government themselves can enforce prohibition of liquor and foreign cloth. But manufacture of salt by the populace will have to be continued and the penal clauses of the Salt Act should not be enforced. There will be no raids on Government salt depôts or private depôts. I will agree even if this clause is not made a clause in these terms, but is accepted as an understanding in writing.

(3)—(A). Simultaneously with the calling off of the Civil Disobedience all Satyagrahi prisoners and other political prisoners convicted or under trial who have not been guilty of violence or incitement to violence should be ordered to be released.

(B). Properties confiscated under the Salt Act, Press Act, and Revenue Act and the like should be restored.

(C). Fines and securities taken from convicted Satyagrahis or under the Press Act should be refunded.

(D). All officers, including village officers, who have resigned or who may have been dismissed during the Civil Disobedience movement and who may desire to rejoin Government service should be reinstated.

N.B.—The above should refer also to the non-co-operation period.

(E). Viceregal Ordinances should be repealed.

This opinion of mine is purely provisional because I consider that a prisoner has no right to pronounce any opinion upon political activities of which he cannot possibly have a full grasp while he is shut out of personal contact. I therefore feel that my opinion is not entitled to the weight I should claim for it if I was in touch with the movement. Mr. Jayakar and Dr. Sapru may show this to Pandit Motilal Nehru, Pandit Jawaharlal Nehru, Mr. Vallabhbhai Patel and those who are in charge of the movement. Nothing to appear in the Press. This is not to be shown to the Viceroy at this stage. Even if the foregoing terms are accepted I should not care to attend the Conference unless, in the event of going out of prison, I gained self-confidence which I have not at present, and unless among those Indians who would be invited there was a preliminary conversation and an agreement as to the minimum by which they should stand under all circumstances. I reserve to myself the liberty, when the occasion arises, of testing every Swaraj scheme by its ability to satisfy the object underlying the 11 points mentioned in my letter to the Viceroy.

M. K. GANDHI.

6. The following is Mr. Gandhi's covering letter to Pandit Motilal Nehru:—

Dear Motilalji,

“My position is essentially awkward. Being temperamentally so built, I cannot give a decisive opinion on matters happening outside the prison walls. What I have, therefore, given to our friends is the roughest draft of what is likely to satisfy me personally. You may not know that I was disinclined to give anything to Slocombe and wanted him to discuss things with you, but I could not resist his appeal and let him publish the interview before seeing you.

“At the same time I do not want to stand in the way of an honourable settlement if the time for it is ripe. I have grave doubts about it, but, after all, Jawaharlal's must be the final voice. You and I can only give our advice to him. What I have said in my memorandum given to Sir Tej Bahadur and Mr. Jayakar is the utmost limit to which I can go, but Jawahar, and for that matter also you, may consider my position to be inconsistent with the intrinsic Congress policy or the present temper of the people. I should have no hesitation in supporting any stronger position up to the letter of the Lahore resolution. You need, therefore, attach no weight to my memorandum unless it finds an echo in the hearts of you both. I know that neither you nor Jawahar were enamoured of the 11 points brought out in my first letter to the Viceroy. I do not know whether you still have the same opinion. My own mind is quite clear about them. They are to me the substance of independence. I should have nothing to do with anything that would not give the nation the power to

give immediate effect to them. In restricting myself to the three only, in the memorandum, I have not waived the other eight. But the three are now brought out to deal with Civil Disobedience. I would be no party to any truce which would undo the position at which we have arrived to-day.

Yours sincerely,

M. K. GANDHI,

23rd July 1930, Yeravda Mandir."

7. Accordingly, on the 27th and 28th July we saw Pandits Motilal Nehru and Jawaharlal Nehru at Naini Jail, Allahabad, and after a review of the entire position in the light of the Viceroy's letter and Mahatma Gandhi's note and the letter referred to above, Pandit Motilal Nehru and Jawaharlal Nehru gave us the following two documents to be taken to Mahatma Gandhi at Yeravda, Poona.

(i) Memorandum dated 28th July 1930 by Pandits Motilal Nehru and Jawaharlal Nehru, Central Prison, Naini, Allahabad.

We have had long conversations with Sir Tej Bahadur Sapru and Mr. M. R. Jayakar and they have informed us of the various events which led to their seeking interviews with Gandhiji and with us in our respective prisons in order, if possible, to terminate or to suspend the present hostilities between the people of India and the British Government. We appreciate their earnest desire for peace and would gladly explore all avenues which might lead to it provided that such a peace was an honourable one for the people of India, who have already sacrificed so much in the national struggle and meant freedom for our country.

As representatives of the Congress we have no authority to alter in any material particular its resolutions, but we might be prepared under certain circumstances to recommend a variation in details provided the fundamental position taken up by the Congress was accepted.

We are, however, faced with an initial difficulty. Both of us are in prison and for some time past have been cut off from the outside world and the national movement. One of us for nearly three months was not allowed any daily newspaper. Gandhiji has also been in prison for several months. Indeed, almost all our colleagues of the original Working Committee of the Congress are in prison and the Committee itself has been declared an illegal organisation. Of the 300 members of the All-India Congress Committee, which is the final authority in the National Congress Organisation, subject only to the full sessions of the Congress, probably 75 per cent. of the members are in prison.

Cut off as we are from the national movement we cannot take upon ourselves the responsibility of taking a definite step without the fullest consultation with our colleagues and especially with Gandhiji. As regards the Round-Table Conference we feel that it is unlikely to achieve anything unless

an agreement on all vital matters is previously arrived at. We attach great importance to such an agreement, which must be definite and there must be no room for misunderstanding or misinterpretation.

Sir Tej Bahadur Sapru and Mr. Jayakar have made it very clear and Lord Irwin has also stated in his published letter to them that they are acting on their own behalf and cannot commit him or his Government. It is, however, possible that they may succeed in paving the way to such an agreement between the Congress and the British Government. As we are unable to suggest any definite terms for a truce without previously consulting Gandhiji and other colleagues, we refrain from discussing the suggestions made by Sir Tej Bahadur Sapru and Mr. Jayakar and by Gandhiji in the note of his dated 23rd July which has been shown to us. We might add, however, that we agree generally with Mr. Gandhi's second and third points. But we should like the details of these points and specially his point 1 to discuss with him and others before we can finally make our suggestions. We suggest that this note of ours be treated as confidential and be shown only to such persons as see Mr. Gandhi's note dated 23rd July 1930.

MOTILAL NEHRU.
J. NEHRU.

(ii) Letter dated 28th July 1930 from Pandit Jawaharlal Nehru, Central Prison, Naini, Allahabad, to Mahatma Gandhi, Yeravda Jail, Poona :--

Central Prison, Naini,
28th July 1930.

My dear Bapuji,

It is a delight to write to you again after a long interval even though it be from one prison to another. I would like to write at length, but I am afraid I cannot do so at present. I shall therefore confine myself to the matter in issue. Dr. Sapru and Mr. Jayakar came yesterday and had a long interview with father and me. To-day they are coming again. As they have already put us in possession of all the facts and have shown us your note and letter, we felt that we could discuss the matter between us two and arrive at some decision even without waiting for the second interview. Of course, if anything new turns up at the second interview we are prepared to vary any previously formed opinion.

Our conclusions for the time being are given in a note which we are giving to Dr. Sapru and Mr. Jayakar. This is more or less brief, but it will, I hope, give you some idea of how our minds are working. I might add that father and I are in full agreement in regard to what our attitude should be.

I might confess that your point 1 regarding the "constitutional issue" has not won me over, nor does father fancy it. I do not see how it fits in with our position or our pledges or with the realities of to-day. Father and I entirely agree with you that we can be "no parties to any truce which would undo

the position at which we have arrived to-day." It is because of this that the fullest consideration is essential before any final decision is arrived at.

I must confess that I do not see any appreciable advance yet from the other side and I greatly fear a false or a weak move on our part.

I am expressing myself moderately. For myself I delight in warfare. It makes me feel that I am alive. The events of the last four months in India have gladdened my heart and have made me prouder of Indian men and women and even children than I have ever been, but I realise that most people are not warlike and like peace, and so I try hard to suppress myself and take a peaceful view. May I congratulate you on the new India that you have created by your magic touch? What the future will bring I know not, but the past has made life worth living, and our prosaic existence has developed something of epic greatness in it.

Sitting here in Naini Jail I have pondered on the wonderful efficacy of non-violence as a weapon and have become a greater convert to it than ever before. I hope you are not dissatisfied with the response of the country to the non-violence creed. Despite occasional lapses the country has stuck to it wonderfully, certainly far more grimly than I had expected. I am afraid I am still somewhat of a protestant regarding your 11 points, not that I disagree with any one of them; indeed, they are important. Yet I do not think they take the place of independence, but I certainly agree with you that we should have "nothing to do with anything that would not give the nation the power to give immediate effect to them."

Father had been unwell for the last eight days ever since he took an injection. He has grown very weak. This long interview last evening tired him out.

Yours affectionately,

JAWAHARLAL.

Please do not be anxious about me. It is only a passing trouble and I hope to get over it in two or three days. Love.

MOTILAL NEHRU.

P.S.—We have had another talk with Dr. Sapru and Mr. Jayakar. At their desire we have made some alterations in our note, but they do not make any vital difference. Our position is quite clear and I have no doubt whatever about it. I hope you will appreciate it.

8. Accordingly Mr. Jayakar alone saw Mr. Gandhi on 31st July and 1st and 2nd August, when Mr. Gandhi dictated to him the following note:—

"(1) No constitutional scheme would be acceptable to Mr. Gandhi which did not contain a clause allowing India the right to secede from the Empire at her desire, and another clause which gave the right and power to India to deal satisfactorily with his 11 points.

"(2) The Viceroy should be made aware of this position of Mr. Gandhi in order that the Viceroy should not consider later that these views of Mr. Gandhi had taken him by surprise when they were urged at the Round-Table Conference.

"(3) The Viceroy should also be made aware that Mr. Gandhi would insist at the Round-Table Conference on the clause giving India the right to have examined by an independent tribunal all British claims and concessions given to Britishers in the past."

9. After that a joint interview took place at Yeravda Jail, Poona, on the 13th, 14th and 15th August, between us on the one hand and Mahatma Gandhi, Pandits Motilal Nehru and Jawaharlal Nehru, Sirdar Vallabhbhai Patel, Dr. Mahmood, Mr. Jairamdas Daulatram, and Mrs. Naidu on the other. As a result of our conversations with them on these occasions the Congress leaders gave us a letter with permission to show it to the Viceroy. This letter is set out below:—

Yeravda Central Prison,
15th August 1930.

Dear Friends,

We are deeply grateful to you for having undertaken the duty of trying to effect a peaceful settlement between the British Government and the Congress. After having perused the correspondence between yourselves and His Excellency the Viceroy, and having had the benefit of protracted talks with you and having discussed among ourselves, we have come to the conclusion that the time is not yet ripe for securing a settlement honourable for our country.

Marvellous as has been the mass awakening during the past five months and great as have been the sufferings of the people, among all grades and classes representing different creeds, we feel that the sufferings have been neither sustained enough nor large enough for the immediate attainment of the end. Needless to mention that we do not in any way share either your view or the Viceroy's that Civil Disobedience has harmed the country or that it is ill-timed or that it is unconstitutional.

English history teems with instances of bloody revolts whose praises Englishmen have sung unstintingly and taught us to do likewise. It, therefore, ill becomes the Viceroy or any intelligent Englishman to condemn a revolt that is in intention, and that has overwhelmingly remained in execution, peaceful. But we have no desire to quarrel with the condemnation, whether official or unofficial, of the present Civil Disobedience campaign.

The wonderful mass response to the movement is, we hold, its sufficient justification. What is, however, to the point here, is the fact that we gladly make common cause with you in wishing, if it is at all possible, to stop or suspend Civil Disobedience. It can be no pleasure to us needlessly to expose the men, women and even children of our country to imprisonment, lathi charges, and worse. You will, therefore, believe us when we assure you, and through you the Viceroy, that we would leave no stone

turned to explore any and every channel for an honourable peace.

But we are free to confess that as yet we see no such sign on the horizon. We notice no symptom of conversion of the English official world to the view that it is India's men and women who must decide what is best for India. We distrust the pious declarations of good intentions, often well meant, of officials. The age-long exploitation by the English of the people of this ancient land has rendered them almost incapable of seeing the ruin, moral, economic and political, of our country which this exploitation has brought about. They cannot persuade themselves to see that the one thing needful for them to do is to get off our backs and to do some reparation for the past wrongs by helping us to grow out of the dwarfing process that has gone on for a century of British domination. But we know that you and some of our learned countrymen think differently. You believe a conversion has taken place, at any rate sufficient to warrant a participation in the proposed Conference. In spite, therefore, of the limitation we are labouring under, we would gladly co-operate with you to the extent of our ability. The following is the utmost response it is possible for us, circumstanced as we are, to make to your friendly endeavour.

(1) We feel that the language used by the Viceroy in the reply given to your letter about the proposed Conference is too vague to enable us to assess its value in terms of the National Demand framed last year at Lahore. Nor are we in a position to say anything authoritative without reference to a properly constituted meeting of the Working Committee of the Congress and, if necessary, to the A.I.C.C. But we can say that for us individually no solution will be satisfactory unless—

- (a) it recognises in as many words the right of India to secede at will from the British Empire;
- (b) it gives to India complete National Government, responsible to her people, including control of the defence forces and economic control and covers all the 11 points raised in Gandhiji's letter to the Viceroy; and
- (c) it gives to India the right to refer, if necessary, to an independent tribunal such British claims and concessions, and the like, including the so-called public debt of India, as may seem to the National Government to be unjust or not in the interest of the people of India.

Note.—Such adjustments as may be necessitated in the interests of India during the transference of power to be determined by India's chosen representatives.

(2) If the foregoing appears to be feasible to the British Government, and a satisfactory declaration is made to that effect, we should recommend to the Working Committee the advisability of calling off civil disobedience, that is to say, disobedience of certain laws for the sake of disobedience. But

peaceful picketing of foreign cloth and liquor will be continued unless the Government themselves can enforce prohibition of liquor and foreign cloth. The manufacture of salt by the people will have to be continued, and the penal clauses of the Salt Act should not be enforced. There will be no raids on Government or private salt depôts.

(3) Simultaneously with the calling off of the Civil Disobedience, (a) all Satyagrahi prisoners and other political prisoners convicted or under trial who have not been guilty of violence or incitement to violence should be ordered to be released; (b) properties confiscated under the Salt Act, Press Act, Revenue Act, and the like, should be restored; (c) fines and securities taken from convicted Satyagrahis or under the Press Act should be refunded; (d) all officers, including village officers, who have resigned or who may have been dismissed during the Civil Disobedience movement and who may desire to rejoin Government service should be reinstated.

Note.—The foregoing sub-clauses refer also to the non-co-operation period.

(c) All Viceregal Ordinances should be repealed.

(4) The question of composition of the proposed Conference and of the Congress being represented at it, can only be decided after the foregoing preliminaries are satisfactorily settled.

Yours sincerely,

MOTILAL NEHRU.	JAIRAMDAS DAULATRAM.
M. K. GANDHI.	SYED MAHMOUD.
SAROJINI NAIDU.	JAWAHARLAL NEHRU.
VALLABHBHAI PATEL.	

10. We sent them the following reply from Winter Road, Malabar Hill, Bombay, 15th August 1930:—

Dear Friends,

We desire to express our thanks to you all for the courteous and patient hearing which you have been good enough to give us on the several occasions on which we have visited you either at Poona or at Allahabad. We regret that we should have caused you so much inconvenience by these prolonged conversations, and we are particularly sorry that Pandit Motilal Nehru should have been put to the trouble of coming down to Poona at a time when his health was so bad. We beg formally to acknowledge receipt of the letter which you have handed to us and in which you state the terms on which you are prepared to recommend to Congress the calling off of Civil Disobedience and participation in the Round-Table Conference.

As we have informed you, we took up this work of mediation on the basis of (1) the terms of an interview given by Pandit Motilal, the then Acting President of the Congress, to Mr. Slecombe in Bombay on 29th June 1930, and particularly (2) the terms of the statement submitted by Mr. Slecombe to

Pandit Motilal Nehru in Bombay on 25th June 1930 and approved by him (Pandit Motilal Nehru) as the basis of informal approach to the Viceroy by us.

Mr. Slocombe forwarded both the documents to us and we thereupon approached His Excellency the Viceroy for permission to interview Mahatma Gandhi, Pandits Motilal Nehru and Jawaharlal Nehru in order to explore the possibilities of a settlement. A copy of the second document referred to above has been taken by you from us. We now find that the terms embodied in the letter you gave us on 14th instant are such that, as agreed between us, it must be submitted to His Excellency the Viceroy for his consideration and we have to await his decision. We note your desire that the material documents relating to these peace negotiations, including your said letter to us, should be published, and we shall proceed to do so after His Excellency the Viceroy has considered your letter.

Before we conclude you will permit us to say that we had reasons to believe, as we told you, that with the actual calling off of the Civil Disobedience movement the general situation would largely improve. Non-violent political prisoners would be released, all Ordinances, with the exception of those affecting the Chittagong and Lahore conspiracy cases, would be recalled and the Congress would get a representation at the Round-Table Conference larger than that of any other single political party. We need scarcely add that we emphasised also that in our opinion there was substantially no difference between the point of view adopted by Pandit Motilal Nehru in his "interview" and the statement sent to us by Mr. Slocombe with Pandit Motilal's approval and His Excellency the Viceroy's letter to us.

Yours sincerely,

T. B. SAPRU.

M. R. JAYAKAR.

11. Thereafter, Mr. Jayakar alone took the letter of the Congress leaders to Simla on 21st August and had conversations with the Viceroy. Sir Tej Bahadur Sapru joined him on the 25th. We then had several interviews with the Viceroy and some members of his Council between 25th and 27th August. As a result of the same the Viceroy gave us a letter to show to Congress leaders at Allahabad and Poona. Following is the text of that letter:—

Viceregal Lodge, Simla,
28th August 1930.

Dear Sir Tej Bahadur,

I have to thank you for informing me of the results of the conversation held by Mr. Jayakar and yourself with the Congress leaders now in prison and for sending me copies of their joint letter of 15th August and of your reply thereto. I should wish you and Mr. Jayakar both to know how great has been my appreciation of the spirit in which you have pursued your

self-imposed and public-spirited task of endeavouring to assist in the restoration of normal conditions in India.

It is worth recalling the conditions under which you entered upon your undertaking. In my letter of 16th July I assured you that it was the earnest desire of myself, my Government, and I had no doubt also of His Majesty's Government, to do everything that we could to assist the people of India to obtain as large a degree of management of their own affairs as could be shown to be consistent with making provision for those matters in regard to which they were not at present in a position to assume responsibility. It would be among the functions of the Conference to examine in the light of all the material available what those matters might be and what provision might best be made for them. I had previously made two other points plain in my speech to the Legislature on 9th July. First, that those attending the Conference would have the unfettered right of examining the whole constitutional problem in all its bearings, and secondly, that any agreement at which the Conference was able to arrive would form the basis of the proposals which His Majesty's Government would later submit to Parliament. I fear, as you will no doubt recognise, that the task you had voluntarily undertaken has not been assisted by the letter you have received from the Congress leaders.

In view both of the general tone by which that letter is inspired and of its contents, as also of its blank refusal to recognise the grave injury to which the country has been subjected by the Congress policy, not least in the economic field, I do not think that any useful purpose would be served by my attempting to deal in detail with the suggestions there made, and I must frankly say that I regard discussion on the basis of the proposals contained in the letter as impossible. I hope, if you desire to see the Congress leaders again, that you will make this plain.

There is one further comment that I must make upon the last paragraph of your reply to them, dated 16th August. When we discussed these matters I said that if the Civil Disobedience movement was in fact abandoned, I should not desire to continue Ordinances (apart from those connected with the Lahore conspiracy case and Chittagong) necessitated by a situation which *ex hypothesi* would no longer exist, but I was careful to make it plain that I was unable to give any assurance, if and when the Civil Disobedience movement ceased, that Local Governments would find it possible to release *all* persons convicted or under trial for offences in connection with the movement not involving violence, and that while I should wish to see a generous policy pursued in this matter, the utmost that I could promise would be to move all Local Governments to consider with sympathy all cases individually on their merits.

Upon the point of your reference to the representation of Congress at the Conference, in the event of their abandoning the

Civil Disobedience movement and desiring to attend, my recollection is that you explained the demand of Congress was not for predominant, in the sense of majority, representation of the whole Conference, and that I expressed the view that I should anticipate little difficulty in recommending His Majesty's Government to secure that Congress should be adequately represented. I added that if events so developed I should be ready to receive a panel of names from the leaders of the Congress Party of those whom they would regard as suitable representatives. I feel that you and Mr. Jayakar would desire to be clearly informed of the position of myself and of my Government, as it may be desirable that the letters should be published at an early date in order that the public may be fully informed of the circumstances in which your efforts have failed to produce the result that you hoped and that they so certainly deserved.

Yours sincerely,
IRWIN.

12. The Viceroy also permitted us to mention to the Congress leaders the result of our conversations with him on certain specific points raised by us in connection with the letter of the Congress leaders. We left Simla on 28th August and interviewed Pandits Motilal Nehru and Jawaharlal Nehru and Dr. Mahmood in Naini Jail, Allahabad, on 30th and 31st August. We showed them the said letter of the Viceroy, and placed before them the result of our conversations. We explained to them, with reference to the several points raised in their letter to us of 15th August and not covered in the Viceroy's letter of 28th August, that we had reason to believe from the conversations we had had with the Viceroy that a settlement was possible on the following basis:—

(a) On the constitutional question the position would be as stated in the four fundamental points in para. 2 of the Viceroy's letter to us of 28th August.

(b) With reference to the question whether Mr. Gandhi would be allowed to raise at the Round-Table Conference the question of India's right to secede from the Empire at will, the position was as follows:—As the Viceroy had stated in his said letter to us, the Conference was a free conference, and therefore anyone could raise any point he liked. But the Viceroy thought it would be very unwise for Mr. Gandhi to raise this question now. If, however, he faced the Government of India with such a question the Viceroy would say the Government were not prepared to treat it as an open question. If in spite of this Mr. Gandhi desired to raise the question the Government would inform the Secretary of State of his intention to do so at the Round-Table Conference.

(c) As regards the right to raise at the Round-Table Conference the question of India's liability to certain financial burdens and to get them examined by an independent tribunal,

the position was that the Viceroy could not entertain any proposition amounting to total repudiation of all debts, but it would be open to anyone to raise at the Round-Table Conference any question as to any financial liability of India and to call for an examination.

(d) As regards granting relief against the Salt Act, the position of the Viceroy was that (1) the Salt tax was going to be provincialised if the recommendation of the Simon Commission in that behalf was accepted, and (2) there had already been a great loss of revenue and therefore the Government would not like to forgo this source. But if the Legislature was persuaded to repeal the Salt Act, and if any proposal was put forward to make good the loss of revenue occasioned by such a repeal, the Viceroy and his Government would consider the question on its merits. It was not, however, possible for the Viceroy to condone open breaches of the Salt Act as long as it was law. When goodwill and peace were restored, and if Indian leaders desired to discuss with the Viceroy and his Government how best economic relief could be given to the poorer classes, His Excellency the Viceroy would be glad to call a small conference of Indian leaders.

(e) With reference to picketing, the position was that, if picketing amounted to nuisance to any class of people, or was coupled with molestation or intimidation or use of force, the Viceroy reserved to the Government the right of taking such action as the law allowed or taking such legal powers as might be necessary to meet any emergency that might arise. Subject to the above, when peace was established the Ordinance against picketing would be withdrawn.

(f) With regard to the re-employment of officers who resigned or had been dismissed during the Civil Disobedience campaign, the position was, this matter was primarily a question for the discretion of the Local Governments. Subject, however, to there being vacancies and as long as it did not involve dismissing men who had been employed by the Government during the period of their trouble and who had proved loyal, the Local Governments would be expected to re-employ men who had thrown up their appointments in a fit of excitement or who had been swept off their feet.

(g) As for restoration of printing presses confiscated under the Press Ordinance there would be no difficulty.

(h) As regards the restoration of fines and properties confiscated under the Revenue Law, that required closer definition. As to properties confiscated and sold under such law there might be rights of third parties involved. As to refunding of fines there were difficulties. In short, all that the Viceroy could say was that the Local Governments would exercise their discretion with justice and take all circumstances into consideration and try to be as accommodating as they could.

As to the release of prisoners, the Viceroy had already explained his views in his letter to us dated 28th July.

13. We made it clear to Pandits Motilal Nehru and Jawaharlal Nehru and Dr. Mahmood during their said two interviews with us that though the time before us was limited further progress with our negotiations was possible on the lines indicated above.

14. They, however, expressed their unwillingness to accept any settlement on this basis and gave us a note for Mahatma Gandhi, which is as follows :—

Naini Central Prison,
31st August 1930.

We have had further interviews with Mr. Jayakar and Sir Tej Bahadur Sapru yesterday and to-day and have had the advantage of long talks with them. They have given us copy of the letter dated 28th August addressed to them by Lord Irwin. In this letter it is stated clearly that Lord Irwin regards discussion on the basis of the proposals contained in our joint letter of 15th August to Sir Tej Bahadur Sapru and Mr. Jayakar as impossible, and under the circumstances he rightly concludes that their efforts have failed to produce any result. This joint letter, as you know, was written after full consideration by the signatories to it and represented the utmost they were prepared to go in their individual capacities.

We stated there that no solution would be satisfactory unless it fulfilled certain vital conditions and that a satisfactory declaration to that effect was made by the British Government. If such a declaration was made we would be prepared to recommend to the Working Committee the advisability of calling off Civil Disobedience, provided simultaneously certain steps indicated in our letter were taken by the British Government in India. It was only after a satisfactory settlement of all these preliminaries that the question of composition of the proposed London Conference and of the Congress being represented at it could be decided. Lord Irwin in his letter considers even a discussion on the basis of these proposals as impossible.

Under the circumstances there is or can be no common ground between us. Quite apart from the contents and tone of the letter the recent activities of the British Government in India clearly indicate that the Government has no desire for peace. The proclamation of the Working Committee as an illegal body in the Delhi Province soon after the meeting of it was announced to be held there and the subsequent arrest of most of its members can have that meaning and no other. We have no complaint against these or other arrests or other activities of the Government, uncivilised and barbarous as we consider some of these to be. We welcome them, but we feel we are justified in pointing out that the desire for peace and the aggressive attack on the very body which is capable of giving peace, and with which it is sought to treat, do not go well together.

The proscription of the Working Committee all over India and the attempt to prevent its meetings must necessarily mean that the national struggle must go on whatever the consequences, and that there will be no possibility of peace, because those who may have some authority to represent the people of India will be spread out in British prisons all over India. Lord Irwin's letter and the action taken by the British Government make plain that the efforts of Sir Tej Bahadur Sapru and Mr. Jayakar have been in vain. Indeed, the letter and some of the explanations that have been given us take us back in some respects even from the position that was previously taken.

In view of this great hiatus that exists between our position and Lord Irwin's it is hardly necessary to go into details. But we should like to point out to you certain aspects of his letter. The first part of the letter is practically a repetition of his speech in the Assembly and of the phrases used in his letter dated 16th July addressed to Mr. Jayakar and Sir Tej Bahadur Sapru. As we pointed out in our joint letter this phraseology is too vague for us to assess its value. It may be made to mean anything or nothing. In our joint letter we have made it clear that complete National Government, responsible to the people of India, including the control of defence forces and economic control, must be recognised as India's immediate demand. There is no question of what are usually called safeguards or any delay. Adjustments there necessarily must be for transference of power, and in regard to these we stated that they were to be determined by India's chosen representatives.

With regard to India's right to secession at will from the British Empire and her right to refer British claims and concessions to an independent tribunal, all we are told is that the Conference will be a free Conference, and any point can be raised there. This is no advance on the previous statement made. We are further told, however, that if the British Government in India were definitely faced with the possibility of the former question being raised, Lord Irwin would say that they were not prepared to treat it as an open question. All they could do was to inform the Secretary of State of our intention to raise the question at the Conference. With regard to the other proposition, we are told that Lord Irwin could only entertain the idea of a few individual financial transactions being subjected to scrutiny. While such scrutiny may take place in individual cases, its scope will have to extend to the whole field of British claims, including, as we have stated, the so-called public debt of India. We consider both these questions as of vital importance, and previous agreement as mentioned in our joint letter seems to us essential.

Lord Irwin's reference to release of prisoners is very restricted and unsatisfactory. He is unable to give an assurance that all of non-violent Civil Disobedience prisoners even will be discharged. All he proposes to do is to leave the matter in the hands of Local Governments. We are not prepared to trust

in such a matter to the generosity or sympathy of Local Governments or local officials, but apart from this there is no reference in Lord Irwin's letter to other non-violent prisoners. There are a large number of Congressmen and others who were sent to prison for political offences prior to the Civil Disobedience movement.

We might mention in this connection the Meerut case prisoners also, who have already spent a year and a half as under-trials. We have made it clear in our joint letter that all those should be released. Regarding the Bengal and Lahore Case Ordinances, we feel that no exception should be made in their favour as suggested by Lord Irwin. We have not claimed the release of those political prisoners who may have been guilty of violence, not because we would not welcome their release, but because we felt that as our movement was strictly non-violent we would not confuse the issue; but the least we can do is to press for an ordinary trial for these fellow-countrymen of ours, and not by an extraordinary court constituted by an Ordinance which denies them the right of appeal and the ordinary privileges of an accused.

Amazing events including brutal assaults that have occurred even in the open court during the so-called trial make it imperative that the ordinary procedure should be followed. We understand that some of the accused in protest for the treatment accorded to them have been on hunger-strike for a long period and are now at death's door. The Bengal Ordinance, we understand, has been replaced by an Act of the Bengal Council. We consider this Ordinance and any Act based on it most objectionable, and the fact that an unrepresentative body like the present Bengal Council has passed it does not make it any the better. With regard to further picketing of foreign cloth and liquor shops, we are told that Lord Irwin is agreeable to the withdrawal of the Picketing Ordinance, but he states that if he thinks it necessary he will take fresh legal powers to combat picketing. Thus, he informs us that he might re-enact the Ordinance or something similar to it, whenever he considers it necessary. The reply regarding the Salt Act and certain other matters referred to in our joint letter is also wholly unsatisfactory. We need not deal with it at any length here as you are an acknowledged expert on salt.

We would only say that we see no reason to modify our previous position with regard to these matters. Thus, Lord Irwin has declined to agree to all the major propositions and many of the minor ones laid down in our joint letter. The difference in his outlook and ours is very great, indeed fundamental. We hope you will show this note to Mrs. Sarojini Naidu, Mr. Vallabhbhai Patel and Mr. Jairamdas Daulatram, and in consultation with them give your reply to Mr. Jayakar and Sir Tej Baladur Saprú.

We feel that the publication of the correspondence must not longer be delayed and we are not justified in keeping the public

in the dark. Even apart from the question of publication we are requesting Sir Tej Bahadur Sapru and Mr. Jayakar to send copies of all the correspondence and revelant papers to Mr. Chaudhri Khaliq-Uz-Zaman, the Acting President of the Congress. We feel that we ought to take no steps without immediate information being sent to the Working Committee, which happens to be functioning.

MOTILAL.
 SYED MAHMOUD,
 JAWAHARLAL.

15. We accordingly saw Mr. Gandhi and other Congress leaders in Yeravda Jail, Poona, on 3rd, 4th and 5th September, gave them the said letter and discussed the whole question with them. As a result of such conversations they gave us the statement which is reproduced below :—

Yeravda Central Prison,
 5th September 1930.

Dear Friends,

We have very carefully gone through the letter written to you by His Excellency the Viceroy, dated 28th August 1930. You have kindly supplemented it with a record of your conversations with the Viceroy on the points not covered by the letter. We have equally carefully gone through the note signed by Pandit Motilal Nehru, Dr. Syed Mahmoud and Pandit Jawaharlal Nehru, and sent by them through you. This note embodies their considered opinion on the said letter and conversations.

We gave two anxious nights to these papers and we had the benefit of a full and free discussion with you on all the points arising out of these papers. And as we have told you, we have all arrived at a definite conclusion. We see no meeting ground between the Government and the Congress as far as we can speak for the latter, being out of touch with the outside world.

We unreservedly associate ourselves with the opinion contained in the note sent by the distinguished prisoners in Naini Central Prison, but these friends expect us to give in our own words our view of the position finally reached in the negotiations for peace, which you, with patriotic motives, have carried on during the past two months at considerable sacrifice of your own time and no less inconvenience to yourselves. We shall, therefore, allude as briefly as possible to the fundamental difficulties that have stood in the way of peace being achieved.

The Viceroy's letter dated 16th July 1930 is, we have taken it, intended to satisfy, so far as may be, the terms of the interview which Pandit Motilal gave to Mr. Slocombe on 20th June last and the statement submitted by Mr. Slocombe to him on 25th June and approved by him. We are unable to read in the Viceroy's language in his letter of 16th July anything like satisfaction of the terms of the interview or the said statement. Here are the relevant parts of the interview and the statement.

The interview: "If the terms of the Round-Table Conference are to be left open and we are expected to go to London to argue our case for Dominion status, I should decline. If it was made clear, however, that the Conference would meet to frame a constitution for free India, subject to such adjustments of our mutual relations as are required by the special needs and conditions of India and our past association, I for one would be disposed to recommend to the Congress to accept the invitation to participate in the Conference. We must be masters of our household, but we are ready to agree to reasonable terms for the period of transfer of power from a British Administration in India to a responsible Indian Government. We must meet the British people to discuss these terms as Nation to Nation and on equal footing."

The statement: "The Government would give a private assurance that they would support the demand for full responsible government for India, subject to such mutual adjustments and terms of transfer as are required by the special needs and conditions of India and by her long association with Great Britain and as may be decided by the Round-Table Conference."

And here is the relevant part of the Viceroy's letter:—"It remains my earnest desire, as it is that of my Government, and I have no doubt also that of His Majesty's Government, to do everything we can in our respective spheres to assist the people of India to obtain as large a degree of management of their own affairs as can be shown to be consistent with the making of provision for those matters in regard to which they are not at present in a position to assume responsibility. What those matters may be and what provisions may best be made for them will engage the attention of the Conference, but I have never believed that with mutual confidence on both sides it should be impossible to reach an agreement."

We feel that there is a vast difference between the two positions. Where Pandit Motilalji visualises free India as enjoying a status different in kind from the present as a result of deliberations at the proposed Round-Table Conference, the Viceroy's letter merely commits him, his Government and the British Cabinet to an earnest desire to assist India to obtain as large a degree of management of their own affairs as can be shown to be consistent with making provision for those matters in regard to which they are not at present in a position to assume responsibility.

In other words the prospect held out by the Viceroy's letter is one of getting, at the most, something more along the lines of reforms commencing with those known to us as Lausdowne Reforms. As we had the fear that our interpretation was correct in our letter of 15th August 1930, signed also by Pandit Motilal Nehru, Dr. Syed Mahmood and Pandit Jawaharlal Nehru, we put our position negatively and said what would

not, in our opinion, satisfy the Congress. The letter you have now brought from His Excellency reiterates the original position taken up by him in his first letter, and, we are grieved to say, contemptuously dismisses our letter as unworthy of consideration and regards discussion on the basis of the proposals contained in the letter as impossible.

You have thrown further light on the question by telling us that if Mr. Gandhi definitely faced the Government of India with such a question (i.e. the right of secession from the Empire at India's will), the Viceroy would say that they were not prepared to treat it as an open question. We, on the other hand, regard the question as the central point in any free constitution that India is to secure and one which ought not to need any argument. If India is now to attain full responsible government or full self-government, or whatever other term it is to be known by, it can be only on an absolutely voluntary basis, leaving each party to sever partnership or association at will. If India is to remain no longer a part of the Empire, but is to become an equal and free partner in the Commonwealth, she must feel the want and the warmth of that association and never otherwise. You will please observe that this position is clearly brought out in the interview already alluded to by us. So long, therefore, as the British Government or the British people regard this position as impossible or untenable the Congress must, in our opinion, continue to fight for freedom.

The attitude taken up by the Viceroy over the very mild proposal made by us regarding the Salt Tax affords a further painful insight into the Government mentality. It is as plain as daylight to us that from the dizzy heights of Simla the rulers of India are unable to understand or appreciate the difficulties of the starving millions living in the plains, whose incessant toil makes government from such a giddy height at all possible. If the blood of the innocent people spilt during the past five months to sustain the monopoly of a gift of nature, next in importance to poor people only to air and water, has not brought home to Government the conviction of its utter immorality, no conference of Indian leaders as suggested by the Viceroy can possibly do so.

The suggestion that those who ask for the repeal of the monopoly should show a source of equivalent revenue adds insult to injury. This attitude is an indication that, if the Government can help it, the existing crushingly expensive system shall continue to the end of time. We venture further to point out that not only does the Government here but Governments all the world over openly condone breaches of measures which have become unpopular, but which, for technical or other reasons, cannot straightway be repealed.

We need not now deal with many other important matters in which too there is no adequate advance from the Viceroy to the

popular position set forth by us. We hope we have brought out sufficient weighty matters in which there appears at present to be an unbridgeable gulf between the British Government and the Congress.

There need, however, be no disappointment for the apparent failure of the peace negotiations. The Congress is engaged in a grim struggle for freedom. The nation has resorted to a weapon which, the rulers being unused to it, will take time to understand and appreciate. We are not surprised that a few months of suffering has not converted them. The Congress desires harm to no single legitimate interest by whomsoever acquired. It has no quarrel with the Englishman as such, but it resents, and will resent with all moral strength at its command, the intolerable British domination.

Non-violence being assured to the end, we are certain of an early fulfilment of the national aspiration. This we say in spite of the bitter and often insulting language used by the powers-that-be in regard to Civil Disobedience.

Lastly, we once more thank you for the great pains you have taken to bring about peace, but we suggest that the time has now arrived when any further peace negotiations should be carried on with those in charge of the Congress organisation.

As prisoners, we labour under an obvious handicap. Our opinion, based as it must be on second-hand evidence, runs the risk of being faulty. It would be naturally open to those in charge of the Congress organisation to see any of us. In that case, and when the Government itself is equally desirous for peace, they should have no difficulty in having access to us.

M. K. GANDHI. VALLABHBHAI PATEL.
SAROJINI NAIDU. JAIRAMDAS DAULATRAM.

16. We content ourselves with publishing for the information of the public the material facts and documents, and in strict conformity with our duties and obligations as intermediaries, we refrain in this statement from putting our own interpretation or offering our own comments on the facts and documents set out above. We may mention that we have obtained the consent of His Excellency the Viceroy and the Congress leaders to the publication of the documents above set out.

The Viceroy addressed the following letter to Sir Tej Bahadur Sapru, K.C.S.I., and Mr. M. R. Jayakar on 14th September 1930 in view of a possible misconception of part of their statement (see page 16):—

Viceregal Lodge, Simla,
14th September 1930.

You will no doubt have received my telegram thanking you for the courageous efforts you have made in the cause of peace. Though they have not resulted in the success which we all should

so sincerely have welcomed, I know that everybody who has the true interests of the country at heart will feel nothing but sincere admiration for the gallant endeavours which you have made.

I sent you a telegram on Saturday expressing my surprise that you should have made public a reference to the private conversations we had in Simla, and I have since seen the full text of the note you gave to the Press. As you will remember, the understanding was that, while I had no objection to your informing the Congress leaders of the general position of Government, I regarded our conversations as confidential. I understand, however, that, as the Congress leaders referred in their letters of 31st August and 5th September to some matters touched upon in our conversations, you considered it right that the public should be more fully informed of their character. While I readily appreciate your motives, I regret that I had not the opportunity of approving the note before it was published, as it contains points in regard to which a mistaken impression might, though quite unintentionally on your part, be conveyed of the attitude of myself and my Government. For the most part, these are not now of practical concern, since the unfortunate conclusion of the conversations deprives them of the interest they might otherwise have possessed, and renders it less necessary to re-state them more precisely.

There is, however, one matter of great importance, in regard to which it appears to be essential to remove any possible cause of misapprehension. I refer to the passage in which it is said that I could not entertain any proposition amounting to a total repudiation of all debts, but that it would be open to anyone to raise at the Round-Table Conference any question as to any financial liability of India and to call for an examination. This might be misinterpreted as indicating that I and my Government, while rejecting any idea of total repudiation, might be prepared to entertain the idea of partial repudiation. This of course would be entirely remote from the truth, since we could not conceivably contemplate repudiation in any form or in any degree. Although I am confident that you did not foresee the possibility of any misinterpretation of this kind when you gave your note to the Press, the matter is of such vital importance to the credit of India that you will, I am sure, agree with me that the public should not remain under any possibility of misapprehension in regard to it. I am therefore sending a copy of this letter to the Press on Sunday evening.

Yours sincerely,
IRWIN.